

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADAPTIX, INC.	§	
	§	
v.	§	CIVIL ACTION NO. 6:13-cv-585
	§	
NEC CASIO, ET AL.	§	

ADAPTIX, INC.	§	
	§	
v.	§	CIVIL ACTION NO. 6:13-cv-778
	§	
PANTECH WIRELESS, INC. ET AL.	§	

ADAPTIX, INC.	§	
	§	
v.	§	CIVIL ACTION NO. 6:13-cv-922
	§	
NEC, ET AL.	§	

**PARTIES JOINT MOTION TO
AMEND THE DOCKET CONTROL ORDER**

Plaintiff Adaptix, Inc. (“Adaptix”), and Defendants NEC Casio Mobile Communications, Ltd., NEC Corporation of America, AT&T Mobility, LLC, Verizon Wireless, Inc., Pantech Co., Ltd., and Pantech Wireless, Inc., (collectively “Defendants”) respectfully move to amend the Scheduling and Discovery Order entered on June 25, 2014. *See e.g.* 6:13-cv-585, Dkt. No.64, 6:13-cv-778, Dkt. No.40, and 6:13-cv-922, Dkt. No.48.

The parties have met and conferred and determined that an extension of time is necessary to in order to promote judicial efficiency, efficiency in time and cost to the parties, and to avoid scheduling conflicts with other related litigations. The Parties submit that this motion is not for the purposes of delay. Further, the parties agree, subject to the Court's approval, to the below amended deadlines in the Scheduling and Discovery Order.

PRETRIAL EVENTS	CURRENT DEADLINES	PROPOSED DEADLINES
Discovery deadline—claim construction	November 3, 2014	January 5, 2015
Deadline to file opening claim construction brief (P.R. 4-5(a))	November 3, 2014	January 5, 2015
Deadline to file motions to dismiss (§ 4)	November 14, 2014	January 14, 2015
Deadline for Additional Disclosures (§ 2)	November 17, 2014	January 19, 2015
Deadline to file response to claim construction brief (P.R. 4-5(b))	December 1, 2014	February 5, 2015
Deadline to file motion for summary judgment of indefiniteness	December 1, 2014	February 5, 2015
Deadline to file reply to claim construction brief (P.R. 4-5(c))	December 8, 2014	February 12, 2015
Deadline to file response to motion for summary judgment of indefiniteness	December 8, 2014	February 12, 2015
Deadline to file reply to motion for summary judgment of indefiniteness	December 15, 2014	February 19, 2015
Deadline to file claim construction chart (P.R. 4-5(d))	December 15, 2014	February 26, 2015
Deadline to submit <u>required</u> tutorial	January 20, 2015	March 20, 2015
Claim construction hearing (i.e. <i>Markman</i> hearing) (P.R. 4-6)	February 3, 2015 at 10:00 a.m. in Judge Steger's Courtroom, 3rd Floor, Tyler, TX before U. S. Magistrate Judge Caroline M. Craven	April 7, 2015 at 10:00 a.m. in Judge Steger's Courtroom, 3rd Floor, Tyler, TX before U. S. Magistrate Judge Caroline M. Craven

Deadline for amending pleadings to assert inequitable conduct defenses	February 27, 2015	May 1, 2015
Fact Discovery deadline (¶ 8)	April 3, 2015	June 5, 2015
Deadline to exchange privilege logs (¶ 5)	April 24, 2015	June 26, 2015
Deadline to designate expert witnesses and reports on issues for which the party bears the burden of proof (¶ 6)	May 14, 2015	July 17, 2015
Deadline to disclose willfulness opinions (P.R. 3-7)	May 21, 2015	July 24, 2015
Deadline to notify Court of mediator (¶ 8)	June 5, 2015	August 7, 2015
Deadline to designate expert witnesses and reports on issues for which the party does not bear the burden of proof (¶ 6)	June 18, 2015	August 21, 2015
Deadline to complete <u>required</u> mediation (¶ 9)	June 26, 2015	August 28, 2015
Expert Discovery deadline (¶ 8)	July 23, 2015	September 25, 2015
Deadline for dispositive motions (including <i>Daubert</i> motions) (¶ 10)	September 3, 2015	November 6, 2015
Deadline to file a response to dispositive motion	September 24, 2015	November 27, 2015
Deadline to file a reply to dispositive motion	October 8, 2015	December 11, 2015
Deadline for parties to exchange pretrial disclosures (¶ 11)	December 21, 2015	February 24, 2016
Deadline to notify Court of daily transcript or realtime request (¶ 12)	December 21, 2015	February 24, 2016
Deadline for parties to exchange objections to pretrial disclosures (¶ 11)	January 8, 2016	March 11, 2016
Deadline for parties to meet and confer on resolving objections (¶ 13)	January 15, 2016	March 18, 2016
Deadline to file pretrial materials (¶ 14)	January 22, 2016	March 25, 2016
Deadline for parties to exchange exhibits (¶ 15)	February 19, 2016	April 22, 2016

<p>Pretrial conference and trial setting (§ 16)</p>	<p>February 22, 2016 at 11:00 a.m. 6:13cv585 February 23, 2016 at 11:00 a.m. 6:13cv778 February 24, 2016 at 11:00 a.m. 6:13cv922</p>	<p>April 25, 2016 at 11:00 a.m. 6:13cv585 April 26, 2016 at 11:00 a.m. 6:13cv778 April 27, 2016 at 11:00 a.m. 6:13cv922 or such other dates amenable to the Court's calendar</p>
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Wherefore, the parties respectfully request that the Court grant this Motion.

Dated: October 31, 2014

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system per Local Rule CV-5(a), on October 31, 2014.

/s/ Paul J. Hayes

Paul J. Hayes